



**ఆంధ్రప్రదేశ్ రాజ పత్రము**  
**THE ANDHRA PRADESH GAZETTE**  
**PUBLISHED BY AUTHORITY**

W.No.4

AMARAVATI, SATURDAY, JANUARY 28, 2023

G.2575

**PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC**

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**NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,**

**CHIEF EXECUTIVE OFFICER,**  
**A. P. STATE WAQF BOARD,**  
**4<sup>th</sup> FLOOR, IMDADGHAR, OPP: KALESWARAO MARKET, VIJAYAWADA.**

**F.No.01 / M / NLR / 2018 / Z-IV.**

**Date: 29-12-2022.**

SPSR NELLORE DISTRICT - TAKIYA SUNNI SITUATED AT KOVVUR VILLAGE AND  
MANDAL - Sri SHAIK FIROZE, S/o NAZEER BASHA RECOGNIZED AS  
MUTAWALLI U/Sec.42 OF WAQF ACT, 1995.

Read : 1.This office Proceedings, dated:15-11-2018.

2.Report of Inspector Auditor Waqfs, SPSR Nellore District, vide Lr.No.01/  
I&M /NLR/2018, dated:08-06-2021, along with copy of representation of  
Sri.Shaik. Firoz, R/o. Kovvur (V & M), SPSR Nellore District, dated:  
05-06-2021.

3.Board's Resolution No.337 of 2022, dated:24-08-2022.

4.This office paper Notification, dated:28-09-2022.

5.Report of I.A Waqfs, SPSR Nellore District, Vide Lr. No.01/I&M/NLR/  
2018, dated:05-11-2022.

6.Orders of the Hon'ble Chairperson, APSWB, dated:11-11-2022.

7.Board's Resolution No.561 of 2022, dated:08-12-2022.

8.Orders of the Hon'ble Chairperson, APSWB, dated:17-12-2022

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**ORDER:**

The Waqf institution namely Takiya Sunni situated at Kovvur Village and Mandal SPSR Nellore District is a notified Waqf published and got published in A.P. Gazette No.18-A, Part-II, dated:02-05-1963 at serial No.142 in page Nos.104 & 105. The said institution is having attached landed property in Sy.No.1154/1, to an extent of Ac.10.12 cts, Sy No. 1154/3 to an extent of Ac.2.50 cts, Sy.No.1156 to an extent of Ac.0.17 cts, total an extent of Ac.Ac.12-79 cents at Kovvur Village, under the Towliath of Sri Md. Ghouse Saheb. The rule of succession to the office of the Mutawalli by Custom Hereditary and the object of Waqf is maintenance of Takiya.

In lieu of Boards resolution No.145/2018, dated:13-11-2018 Proceedings were issued vide ref ref.1<sup>st</sup> read above, by appointed to Sri Shaik Firoze, S/o Nazeer Basha, as Mutawalli of Takiya Sunni situated at Kovvur (V & M) of SPSR Nellore District U/sec. 63 of Waqf Act,1995 for a period of (2) years and the said term of Mutawalli has been completed on 14-11-2020.

In the reference 2<sup>nd</sup> read above, the I.A. Waqf, SPSR Nellore District, has submitted his report along with copy of representation of Sri Shaik Firoze, S/o Nazeer Basha, for appointment of Mutawalli U/sec.42 of Waqf Act, 1995 he has been appointed as Mutawalli U/sec.63 of Waqf Act, 1995 for a period of (2) years and the said period was expired on 14-11-2020 and the applicant is managing the affairs of the subject institution for protection and recovery of Waqf property, the applicant has filed Writ petition No.1008 of 2020 before the Hon'ble High Court regarding illegal construction raised in afore said Waqf land and the case is pending before the Hon'ble High Court. Further the I.A Waqfs, has reported that the entire property is under encroachment and requisition U/sec 55 of Waqf Act,1995 is pending before RDO, Nellore Division.

Further, the Inspector Auditor, Waqf, SPSR Nellore District, has requested to appoint Sri.Shaik Firoze as Mutawalli to the subject institution U/sec.63 of Waqf Act, 1995 (or) to recognize him as hereditary Mutawalli U/sec.42 of Waqf Act,1995.

The subject matter was placed the before the Board on 24-08-2022 and the Board has resolved resolution No. 337/2022, dated:24-08-2022 that place the matter before the Board after calling claims and objections by giving paper notification for recognizing the Mutawalli for Takiya Sunni situated at Kovvur Village & Mandal of SPSR Nellore District vide ref. 3<sup>rd</sup> read above. Accordingly this Office has issued paper notification duly inviting claims and objections if any for recognition of Sri.Shaik.Firoze, S/o.Nazeer Basha as Mutawalli U/sec. 42 of Waqf Act, 1995 vide ref. 4<sup>th</sup> read above.

The Inspector Auditor Waqf, SPSR Nellore District has submitted report vide ref.5<sup>th</sup> read above, that the above said paper notification was published in Eenadu Telugu daily District edition of SPSR Nellore on 12-10-2022 and there were no claims & objections received against the said notification.

The subject matter was placed before the Hon'ble Chairperson who after careful examined and passed orders to place the matter before the Board for discussion and decision vide ref. 6<sup>th</sup> read above.

Accordingly, the subject matter has been placed before the Board and the Board has passed resolution No.584 of 2022, dated.08-12-2022 to recognize Sri Shaik Firoze, S/o. Nazeer Basha as Mutawalli U/sec.42 of Waqf Act, 1995 for Takiya Sunni situated at Kovvur Village and Mandal, SPSR Nellore District vide ref. 7<sup>th</sup> read above.

Accordingly, Sri Shaik Firoze, S/o.Nazeer Basha is hereby recognized as Mutawalli U/sec.42 of Waqf Act, 1995 for Takiya Sunni ad its attached properties situated at Kovvur Village and Mandal, SPSR Nellore District for managing the affairs of the subject Waqf Institution by following Waqf Act,1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the Accounts U/sec.46 of Waqf Act, 1995 and Budget U/sec.44 of Waqf Act, 1995 and pay Waqf fund duly following the provisions laid down U/sec.72 & 77 of Waqf Act, 1995 properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below..

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) He shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural lands. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @ 10% of the Net annual Income.

As per Sec.101(2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf,

every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

**L. ABDUL KHADIR,**  
*Chief Executive Officer,*  
*A.P. State Waqf Board, Vijayawada.*

To  
Sri Shaik Firoze, S/o. Nazeer Basha,  
Mutawalli of Takiya Sunni,  
Kovvur (V&M) SPSR Nellore District (Through I.A Waqfs, SPSR Nellore District)

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